

THE
Ancient LIBERTY
OF THE
Britannick Church,
AND THE
Legitimate Exemption thereof from
the *Roman Patriarchate*,
Discours'd on four Positions, and asserted
By *Isaac Basier*, D.D. and Chaplain in ordinary
to His late Majesty of *Great Britain*,
CHARLES the First.

Three Chapters concerning the Priviledges of
the *Britannick Church*, &c. Selected out
of a Latin Manuscript, entituled, *Catholico-
Romanus Pacificus*,

Written by *F. I. Barner*, of the Order of *St. Benedict*, yet
living [as is said] in the *Roman Inquisition*.

Translated, and published, for Vulgar instruction,
By *R. I. WATSON*.

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sold by *Elisha Wallis*, at the Horse-shoos
in the Great Old-Bayley, 1661.





TO

My Worthy good Friend

Mr. *Richard Watson*, &c.

At *Caen*.

Sir,

Because why the abundant satisfaction I inwardly conceived, at the receipt of your most obliging Letter, and reading of that excellent *Diatribē* of *Doctor Basiers*, which accompanied it (by *Mr. Coventrie's* favour)

A 2

vour)

Sir Rich. Brown's Letter.

your) according to your direction, hath no sooner thus dilated it self on Paper, hath been that ingenious young Gentlemans absence these Holy-daies, as hee himself will (I doubt not) for my further justification, testifie; I do therefore, Sir, with all gratitude, acknowledge both *Dr. Basier's*, and your ample favours, in this whole design, no less relating to what is already so worthily performed, than to what is also so meritoriously projected
and

Sir Rich. Brown's Letter.

and intended, as that I should
do my self great wrong to re-
fuse the annex of my name;
where it should rather be my
ambition to have it appear;
But, on the other side, give
mee leave, Sir, to suggest
one caution, that you take
heed (since you intend it
should pass currant in *Eng-
land*) the stamp of my name
do not, in regard of my Re-
lation to my *Royal Master*,
(I will not say, adulterate the
coin, or abate the intrinseck
value, but) make it less wel-

A ; come

Sir Rich. Brown's Letter.

come to præoccupied and
misperswaded Readers. The
Doctor's English Letter, to
mee, I hold not only fit for
the Press, as a testimony of
the Authors eminent indu-
stry and merit, but also as it
is useful to the publick, in-
deed, such a one, written
with so *Apostolical* a spirit, as
that I have been often heard
to say, that *I could never read*
it, but as a kinde of nine-and-
twentieth of the Acts; Use
therefore I beseech you, Sir,
my name with all freedome,
as

Sir Rich. Brown's Letter.

as you think good, you cannot entitle mee to any thing of this kind, which doth not add, as to my honour, so to my obligation to you; whose prone, and undeserved, favour herein I shall, upon all occasions, ambitiously endeavour to requite by some more solid acknowledgement, than this bare signing my self, Most Worthy Sir,

Paris, this first
day of the year,
1658, which I
heartily wish
you most happy.

*Your most humble
and obliged servant*

Richard Brown.



To the Honourable, Sir
Richard Brown, Clerk of the
Right Honourable Privy-
Council

T O

His Majesty of Great Britain, &c.

Sir,

Though I took the liberty,
some years since, to pub-
lish the Latin Diatribe of the
worthy Doctor, which I found
in my * Lords Cabi-
net, after his decease;
yet I could not so well presume
to address it, as, I am confi-
dent,

* Lord Hop-
ton.

The Epistle

dent, intended by the Learned
Author, unto your noble self;
By my adventure in the
Translation I have somewhat
improv'd my Title, to a degree
of propriety, and can so far ju-
stifie yours, at least to what is
mine, if you please to own a Pa-
tronage of the work, under so
much disadvantage, as the
change of Language puts upon
it. Your approbation of it in
the design gives mee no full as-
surance of your Satisfaction at
sight and reading; but your a-
bility to judge the difficulty of
English-

The Epistle

*Englisbing such matters, in
such a stile as they require, and
your incouragement of all that
aims at the publick good, yeeld
mee hopes of your acceptance,
and dispensation with whatso-
ever unavoidable defects; That
it was presented to you no
sooner, you in part know the
reason; until of late it hath
been as hard to finde a Press
for any Treatise that vindica-
ted our Church, as for a De-
dicatory Epistle to any Resi-
dent of our King: But my
long frustrated attendance for*

Dedictory.

a Supplement from Mr. Justell was the first Dilatory it had, and very lately, I think, it hath been discountenanced by an aversion, if no more, of some private Inquisitours, where you are, from all that hangs the Church of England on this binge of Primitive Antiquity, or the Authority of Ancient Councils. It waits on you now, accompanied with somewhat I communicated not before, obtained by the friendly industry of that ingenious*

* Mr. Thomas
Coventry.

Gentleman,

The Epistle

Gentleman, who sent mee F. Barnes's Manuscript, whence I selected what (and more than what) the Doctor directs us to, though hee survives not to entertain the duplicate of my thanks, nor to take pleasure in the effect of his own pains, or mine, and to actuate further the most commendable quality, which happily discoverd it self very early in him, a singular complacency in accommodating a private friend, and a generous promptitude to advance any thing wherein publick

Dedicatory.

lick interest was concerned. I must needs, in gratitude, do him the honour of laying this leaf of Lawrel on his Hearse, which hath passed through several hands of our Reverend Clergy, and Gentry, *where hee * Paris. died, recommended, Sir, with your own serious condolence unto mine, That he acquired the character of a prudent exemplary young Gentleman in his life, and a very pious Christian in the self-discerned approaches to his death.

Sir, for printing the Doctors
Letter,

The Epistle

Letter, I should apologize (unto him) if you lent mee not yours to countenance it; as your permitting it before to be read and copied, had signified your inclination to have some such right done to our Church, and him, which could not better be than in company with another work of his own, and what he approves. The advertisement you further gave mee, that his additional Relations were addressed to Sir George Radcliffe, came too late for mee to recover them, by the means I used,

Dedicatory.

used, out of his Papers; as the notice of his death did for some other Letters that had passed, to my knowledge, between my Lord, and Sir George, upon Theological points of contro- versie, wherein they differed, and which they discussed with some little earnestness, yet ἅλα καὶ τράπεζαν μὴ παραβαίνοντες; If the former be not irrecoverably disposed of, Sir, you have now a fair opportunity to secure them; though, if the good Doctor himself be living, the late misfortune befallen the Country
* that

The Epistle

* Transylvania * that, by an honourable entertainment (as is writ mee) put a stop to his travails, or the greater interest and advantage, wherewith the more happy change in our own may now present him, will, in likelihood, remove him thither, as to the satisfaction of your self, and his other friends, so much more to the instruction of all that regard the concernment of our Church, by acquainting us with the Confessions and Canons of those many he hath passed thorow, or conversed with;

Dedictory.

with, and giving us better notes of an harmony with some of them, than any we truly have (the Christian Creeds excepted) with the greater part of Protestants neerer home.

The other Letters, where-
with you were pleased to grati-
fie mee, I found not, in most of
their contents, so consonant
with the subject of these peeces,
as properly to annex them;
though I cannot but take notice
of, and here publickly return
upon you, the magnanimous re-
solution of the two most loyal &

a

lear-

The Epistle

* Dr. { Bafier
Duncon } *learned * Travel-*

*lers, not to exercise
their function where the du-
ty of praying for the King
should be prohibited; And a
signal instance it was of Christi-
an courage in our Reverend
Author, when an Exile, to
refuse the offer of a plentiful
support, where that would not
be allowed; yet it had been
worth his journey to Smyrna,
to convert the Consul, who
now, I hope, bath more than the
Merchants argument (which
many times is more prevalent
with*

Dedicatory.

with men of business, than the Divines) I mean, that of Interest, to convince him.

Sir, The benediction the Doctor gives to you and yours, in allusion to that which issued from the Ark to Obed Edoms house, I have a very particular obligation to suffrage in, though so long after the date of his; It was testimonium Dei faven- tis, saith Grotius; and σύμβολον τῆς ἰλῆω τῆς θεῆς δυνάμεως, saith Philo, of the Propitiatory, or cover to it, a testimony or symbole of Gods favourable and
a 2 power-

The Epistle

powerfull Mercy to the good man; not so restrained to the presence, but, even after its removal to the City of David, no doubt, he and his family were blessed by it. Six, the publick exercise of our Liturgy, is the Antitype we reflect upon, which, by Gods singular indulgence to you, hath, when chased out of the Temple, took refuge in your House, so that we have been forced many times to argue from your Oratory for a visibility of our Church; Your easie admission of mee to officiate in it for some months, and your endeavours to have such an establishment made for mee, as whereby, in the most difficult of times, I might have had a comfortable subsistence, and a safe protection under your sacred roof, beside the other graces and civilities

Dedictory.

lities I had from you, exact this open retribution of my thanks; as the character of my holy Order, impressed on mee in your Chapel, may have con- signed mee, somewhat peculiarly, to be your Priest, when any emergent may require the Canonical performance of my Ministry within your walls; However, Sir, I shall not offer the holy Sacrifice at any of Gods Altars (which are now again erecting by a most miraculous mercy to his King and People) but I shall commemorate, in your behalf, the little emblem you pre- served of them, when they lay in their dust and ruines; nor shall the cloud of sacred incense ascend in the Sanctuary without the mixture of my breath, while I have it, to ask a return from Heaven, in showers of blessings to

The Epistle, &c.

you, and your posterity, whose name, & memory, must be ever venerable to the English Clergy, as your person hath been most obliging to many of us, among whom, though the unworthiest of them, I pray assist and honour with the continuance of your patronage,

Noble Sir,

Your most grate-
ful, and very
humble servant,

Caen, Aug. 12.
1660.

RI. WATSON.

POST-



POSITIONS.

I Position.

THe rights of *Patriarchates*. *Customs* introduced; *Councils* confirmed; *Emperours* established.

II Position.

The *Britannick Church*, as being alwaies placed without the *Suburbicaries* of the *Italick Diocese*, in the time of the *Nicene Council*, was in no case subject to the *Roman Patriarchate*, but enjoyed a *Patriarchate* of its own (as to the substance of the thing) so as did the other Churches placed in the rest of the free *Dioceses*.

III Position.

The *Britannick Church* was, with very good right, restored by her Sovereign, to her ancient Ecclesiastical liberty, and that according to the Rule of the ancient Catholick Canons, by which
was

Positions.

was confirmed for the future the intire liberty of the Churches.

IV Position.

The *Britannick Church*, persevering in its primitive exemption from the *Roman Patriarchate*, it is so far from that it ought to be, or can be, therefore called *Schismatical*, that rather in the very same respect (before truly Catholick Judges) that Church appears both to have been, and yet really to bee, by so much the more every way Catholick, by how much that Church, more than others, is an assertor of the whole ancient *Catholick liberty*, which, by so many sacred Canons of four *Generall Councils*, the *Nicene*, *Constantinopolitan*, *Ephesine*, and *Chalcedonian*, the Catholick Fathers have decreed, and antecedently declared, to remain ratified for ever, against all future usurpations.

Concerning



Concerning
The Ancient LIBERTY
OF THE
Britannick Church.

The First Position.

The Rights of Patriarchates

1. *Customs hath introduced.*
2. *Councils have confirmed.*
3. *Emperours have established.*

The Structure, or Proof.

THe former part of this Position,
viz. *That the Rights of Patri-*
archates, or, which imports the
same (for so wee agree in the thing, wee
shall not hereafter be solicitous about

the word) *The Metropolitick Rights Custome* hath introduced, appears from the very words in the sixth Canon of the first great *Nicen Council*, wherein the confines of the *three chief Patriarchs* are determined, and the Origin of the *Roman Metropolitan*, as also the *Alexandrian, Antiochian*, and those of other Provinces (which at that time did alike enjoy, each its own.) I say, the Origin of every one of these, is referred by the Council *ad τὸ συνῆδες, to Custome*. And moreover the *Synod* doth decree a Religious Observation of that *Custome* in these solemn words, which the Church truly Catholick did perpetually reverence as an *Oracle*, viz. *τὰ ἀρχαῖα ἐν ἡμετέρισω. Let Ancient Customs be in force*; commanding likewise *τὰ πρεσβεῖα σὺνδεσθαι τοῖς ἐκκλησίαις. That Churches should have their priviledges preserved*. The same is clearly evident from the words in the second Canon of the first *Constantinopolitan Council*, which most expressely commands each Church in every Diocess to be governed according to that *Custome*

of the Fathers which had prevailed, the priviledges being preserved which by the *Nicen Canons* have been granted to the Churches.

The second part of the Position (*viz.* That *Councils* have confirmed the Rights of *Patriarchates*) is manifest both by the former Paragraph, and principally by that Illustrious Canon, which is the last save one of the Oecumenick Council at *Chalcedon* (that is the 206 Canon of the Universal Church)

neither the truth nor validity whereof hath any one questioned, unlesse carried away violently with an affection to the

a This very 28th. Canon appears in all *Greek Copies*, and although controverted by *Pope Leo*, whom it seemed to concern, yet we have seen, and

read the very same Canon likewise in an excellent *Latine Copy*, the quadrate Characters whereof, and other marks of *Antiquity*, argue the Book to bee about one thousand years old. This Copy is in the rich Library of the famous *Justell*, who heretofore gave mee the liberty of seeing it. There is also another ancient *Latine Copy* in the famous Library of the Noble *Treasurer*, wherein yet the same Canon is to bee read; so that wee may justly question the fidelity of the later *Roman Copies*, which have it expunged.

4 *The Ancient Liberty*

Roman partie. The words of the said Canon are most emphatical. Behold the very marrow and vigour of it express'd.

First, The Catholick Ancients do assert, that they in this decree, *καὶ πανταχῶς, τοῖς τῶν ἁγίων πατέρων ὁροῖς ἑπεῶσαι*, and *every where follow the definitions of the Holy Fathers*.

Secondly, *That the Priviledges of the Elder Rome*, they say not (are founded by *Christ*, or by *Peter*, or by *Paul*, but) *are indulged by the Fathers*, οἱ πατέρες ἀποδεδώκασι τὰ πρεσβεία.

Thirdly, They adjust the reason of this Prerogative, and that not divine, nor indeed so much as Ecclesiastical, but meerly secular, to wit (as wee shall demonstrate in the third Paragraph) *the Imperial Authority*, διὰ τὸ βασιλεύειν τὴν πόλιν ἐκείνην, *because that City was Emperresse of the rest*.

Fourthly, The Fathers, moved by the same consideration, declare, *That they* (as much as lyes in them) τὰ ἴσα πρεσβεία ἀπονεύμαι τῷ τῆς νέας ρώμης ἁγιωτάτῳ θεῷ, *will communicate equal Priviledges*.

to the most holy Throne of New Rome. Rightly judging (they are the words of the very Canon) that Constantinople, which they call New Rome, being honoured both with Empire and Senate, may enjoy equal Priviledges with the Elder Rome; and in Ecclesiastical affairs, no less than she, be extolled and magnified, as her second, or next unto her: hitherto the Canon, second, to wit, in order, but no way obnoxious in jurisdiction to Rome, as is plain by her equality with Rome, every way asserted in the Canon, and will afterward more clearly appear both out of the 8th. Canon of the first Ephesine Council, as also the ninth Canon of the Council of Chalcedon; both which Canons are cited and illustrated in the following Position.

The third part of the Position, viz. *The Rights of Patriarchates Emperours have established*, is confirmed both by reason and by practice; and that first general, then special likewise.

The general Reason, being as it were

the foundation of this whole discourse deeper laid, is farther to be reached.

First, Therefore wee say, That *Fathers of Families* were at first both *Princes* and *Priests*. Moreover, as the supplicate

* *Acta inter Philip. Pulch. & Bonifac. 8.*

of the whole *Gallick* people, to * *King Philip the Faire*, almost four hundred years since, very rightly observeth against *Pope Boniface*, *Melchisedec* is expressly said to be *King* before *Priest*, and consequently the *King* taketh not from the *Priest*, nor ought to acknowledge that hee owes unto the *Priest* his Crown, or the rights thereof (such as the external Regiment of the Church is proved to be afterward.)

Secondly, Wee say, That by propagation of Families, and their amplification into Cities, and Communities, the Oeconomick Authority in process of time, became politick.

Thirdly, Wee assert, That in the first institution of the *Priesthood*, *Moses* took away no part of the supream jurisdiction from

from the Politick Authority; Therefore the Royal Power remained the same it was before, both *Legislative* and *Judiciary*, as well in Sacred as Civil Affairs.

For *Moses*, as * *King in*

* Deuter. 33. 5.

Jesurun, was constituted

by God himself, the keeper as well of † *both*

† Numb. 10. 1.

Trumpets, as *Tables*; now what pertained to *Moses* as *King*, is every Kings due.

This very comparative Argument, as rightly consequent from *Moses* to *Constantine the Great*, after the revolutions of so many ages, *Eusebius* five or six times applies to establish the Imperial Authority about the Convocation and confirmation of the first *Nicene Council*.

Fourthly, As *Moses*, not *Aaron*, delivered the Ceremonial Law: so, long after *Moses*, King *David* instituted the courses of the *Priest*, and *Solomon* thrust out *Abiathar* the High Priest.

Fifthly, When Christ inaugurated his Apostles, hee furnished them with great powers of his own, such as are the Administration of Sacraments, and

power of the Keyes; but all that Christ bestowed on his Apostles cumulatively, nought at all privatively: for indeed our Lord Christ would neither by the Evangelical Priesthood, nor his whole first Advent, have any thing detracted from the Jurisdiction or Authority of the Civil Powers; nor that Kings, because Christians, should have their Prerogative abated.

Sixthly, Wee say, That *Kings*, as
 Rem. 13. 6. *Kings*, ought to be the *Li-*
tergick Officers of Christ;
 and so far *Kings* in their degree may,
 yea ought to be *Ministers of the Church*,
 and, as it were, *External Bishops* of the Ec-
 clesiastick Government,
 You are Bishops as (as *Constantine the Great*
 to the interiour, I, said wisely of himself)
 as to the exterior.

That same the magnifi-
 cent Title of Christ himself, *Prince of*
the Kings of the earth, seems to erect for
 all *Kings* of right, although in fact most
 of *Kings* are not, yet by vertue of this
 title they are obliged all to bee Chri-
 stians.

Seventhly,

Seventhly, We say, That there are very many things pertaining to the external Polity of the Church, which although they belong properly and primarily to the King alone, yet in case of necessity, as they say, and secondarily are out of course devolved upon the *Clergy*. For instance, To call Synods; ordain Fasts or Festivals; distinguish Parishes into Diocesses, or Provinces; to fix and ratify the Hierarchical degrees of *Bishops*, so as this man is a *Bishop*, that a *Primate*, the third a *Metropolitane*; that this *Bishop* should be under the jurisdiction of that *Metropolitane*, and contrarily, upon some weighty or lawful either occasion, necessity, or publick commodity of the Church, that this should be exempt from the other under whom hee was before. These, and very many of like sort, according to the various state of the Church, pertain both to the *King* and *Priest*. For those two most different times of the Church's condition ought not to be confounded, I mean of persecution, and peace. Because
in

in time of persecution under Infidel *Kings*, so long as *Princes* are altogether and every way dis-joynd from the *Church*, and the *Church* from *Princes*, the divine order ceaseth, and the *Royal Succession* suffer's necessarily interruption (I say *interruption*, not *abolition*) For so long the case is plainly extraordinary, and, while so, *the Woman* is in the *Desart*, and the *Church* supplies this defect of *Princes* as she can. As when the *Husband* is absent or sick, the *Matron* governs the *Family*. But the divine Positive Order re-entring, the ordinary state of the *Church* returneth also; so soon as *Kings* resume the *Christian Religion*, the partition-wall presently falls down, and then by due right *Kings* take again their exterior power over the *Christian Church*. Otherwise we should say, that in order to the Government of the *Church*, there ought to be no difference between *Pharaoh* and *Moses*, between *Nero* and *Constantine*, nor, as to dominion in sacred Affairs and the right use thereof, that this *Emperour* communi-

cates

gates any more with the *Church*, than the other; which would be dissonant, not onely from right Reason, but also from holy Scripture. Therefore the *Emperour*, so soon as hee becomes Christian, ought to obtain his restitution intire. And this in this Argument is the matter of right, or general Reason, which wee lay down as the Base of that right which belongs to the *Emperour* in establishing the external limits of the Ecclesiastical Government.

Isa. 49. 23.

As to the matter of fact, or practice, that is both general or Catholick, and also special.

The general practice (beside the assumption of the second Argument which was proved before) consists in an induction of Councils, as well General as Provincial, all which as they supplicate from the *Emperour* himself the very convocation of councils: so do they submit to the same *Emperour* every one of their decrees, even those in matters of Faith, which although, as to their intrinsic Authority, they depend onely

on

on the Word of God, and Truth it self; yet, as to their extrinsec Authority, they depend on the *Imperial Sentence*: but if those of Faith, how much more those which are onely of the bare Regiment of the Church, such as is the establishment of *Patriarchates*, lye all under the Imperial decrees? to wit, in this sense, That the Canon of the *Church* may have the force of a Law, that wholly proceeds from the Authority of the *Prince*. Thence is it, that every one of the Ancient Councils, all the Ancient Catholick *Bishops* (even the *Bishop* of *Rome* himself) present them alwaies to the *Emperour* to be supplied, amended, perfected; and so humbly petition from the *Emperour*, not a naked *protection*, or late execution; but an intire *ratification* and confirmation of every Council, without which, as to the external effect, they are to become unattired, void, and plainly of no force. Concerning this Truth, I appeal not onely to the Councils of *Cavalion*, *Mentz* and *Tonres*, with the rest of the less sort; but

I produce the very four general Councils, concerning the first of which, viz. that of *Nice*, *Ensebius* expressly relates, that the *Emperour* τὰ τῆς συνόδου λόγια καὶ κεφάλαια ἐπισφραγίσαναι, confirming the decrees of the Synod, did fortifie them, as it were with his seal. I appeal also to the first Council of *Constantinople*, and the very Epistle of the Council to the *Emperour Theodosius*, wherein all the holy Fathers petition the *Emperour* ἐπιμενεῖν τῆς συνόδου τὴν ψήφον, &c. to have the Suffrage of the Synod confirmed. Yea, I appeal to *Leo* himself *Pope of Rome*, (whom I beleeve not to have been of the most abject spirit among those in that *Pontificate*) who in every one of his † Letters to three *Emperours*, humbly petitions † Lett. 23, 24, 25. (not commands, much less decrees, but) beseecheth, supplicates, that the *Emperour* would command, &c. But it may suffice to have declared these things, though somewhat at large, yet but by the way, to the evincing (by a general rule from the whole to the part) That the rights

of

of Patriarchates introduced by Custom, confirmed by Councils, were established by Emperours, ἡμεῖς ἐσμεν δεῖξαι, which was the last lemme of our Position.

The same will appear more evidently in the special practice of the Catholick Emperours. For by what Authority Ju-

Achrida, now O-
chrida. Justinian the Emperour created *Justiniana prima* to

a new Patriarchate, and indulged unto the same (they are the words of his eleventh Novel) the highest Priest-

Novel. 131. c. 3. hood, the highest authority, and ordained that that

should have the place (not onely Vicegerency, but place) of the Apostolical See, so as it should be, saith Nicephorus, a Free Church, and Head unto it self, with full power, &c. (what could be said more amply, what more magnificently of Rome herself?) so likewise by the same Imperial Authority, the very same Emperour Justinian, Novel. 131. ch. 1. restored the African Diocess to its Ancient Patriarchal Prerogative (which the invasion of the Vandals had interrupted) And so by

his

his Imperial writ did hee constitute the Bishop of *Carthage* absolute *Primate* of whole *Africk*.

Lastly, This is the very thing which in the last age the *Emperour* of *Britain* King *Henry the eighth* by the like right imitated in his Diocess, viz. not by erecting it anew (which yet in the case of *Justiniana prima Justinian* did) but onely restoring the same *Britannick* Diocess unto the Ancient Liberty it enjoyed in the Primitive times of the Ancient *Oecumenick* Councils, viz.

the * *Nicene*, *Constantinopolitane*, and *Ephesine* (concerning which more here-

* *Nicene* Can. 6.
Constantinop. can. 2.
Ephesin. can. ult.

after) And thus much more than needs, of our first Position, because that is, as it were, the foundation laid for the rest that follow.

The Second Position.

1 The *Britannick Church* 2 as being alway placed without the *Suburbicaries* of the

16 The Ancient Liberty

the *Italick Diocess*, 3 in the time of the *Nicene Council*, was in no case subject to the *Romane Patriarchate*, but enjoyed a *Patriarchate* of its own (as to the substance of the thing) so as did the other *Churches*, placed in the rest of the free *Diocesses*.

The Structure, or Proof.

TO the first wee must observe, that the *Britannick Diocess* was one of the thirteen, into which, according to the computation of some, the whole *Roman Empire*, but the very *Præfecture* of *Rome* it self, was anciently^a distributed. We must also observe that the *Britannick Diocess* had been one of the six *Diocesses* of the *Western Empire*, among which it appears to have excelled out of *Tacitus*, *Spartian*, and the other more famous *Roman Historians*.

Hierocl. Notit. Provinciar. Occident. in Append. Geogr. Sacr. Carol. à S. Paul. edit. Paris. 1641.

^a The ordinary jurisdiction of the *Præfecture* over the *City* was concluded within the hundredth mile from the *City*.

To

To the second, wee must mark, that by the *Nicene* Council every Province had its *Metropolitick* bounds set. Certain it is, I say, that therein were fixed the *Ecclesiastick* limits to the three chief *Metropolitans*, that is, to the *Roman*, *Alexandrian*, and *Antiochian*, the right alwaies of the other Provinces being preserved, which were no way subject to these *Metropolitans*. ^b It matters not whether wee call them *Patriarchs*, or *Primates* (the Origin of which terms, as the amplitude of their office, wee owe rather to the following ages) whether wee call them *Exarchs*, as the Council of *Chalcedon*, Can. 9. or *Arch-Bishops*, as *Juslinian* promiscuously, or *Metropo-*

^b This difference seems to be between *Patriarchs* and *Primates*; They [that is, the *Patriarchs*] had ever the preference and precedence in Councils, when as out of the Councils was little other than an identity of their Offices. There are they who, in a strict way of speaking, will have rather the rights of *Metropolitans* fixed in the Council of *Nice*; but those of the *Patriarchs* after the Dioceses designed in the following Councils, and namely in the Council of *Chalcedon*. However that be, it nothing retards our opinion concerning the ancient exentation of the *Britannick*, whether *Metropolitans*, or *Patriarch*.

litans, or onely *Bishops*, as this very *Nicen Council*, all is one, so long as it effectually appears, That by *Patriarchs*, wee understand them to whose both ordination and jurisdiction the Provinces of intire Dioceses were attributed, and who had the hearing and judging of all *Ecclesiastick* causes in the last reference, so that, according to *Justinian* the Emperour, yea according to the very *Oecumenick Council* of *Chalcedon* from the *Patriarchal* sentence out of Council was allowed no regular appeal. Wee call, with the Lawyers, those *Suburbicary Provinces*, which were concluded in one Diocese, the Law term, because of the manifest coextension of both, being translated from the *Republick* to the *Church*.

e The *Exarchs* of Dioceses are *Patriarchs*, to whom intire Dioceses were attributed. That *Zonaras* testifies upon this Canon. Εξάρχης δὲ τῶν διοικήσεων τῆς πατριαρχίας εἶναι φασί. Further, the definition of this Canon, concerning the order of Judgements *Justinian* confirms. l. 46. C. De Episc. Et Cler. Et l. 2. C. de Episc. Audi Et Novel. 123. cap. 22. These things *Chr. Justell*; the most famous searcher of Ecclesiastick Antiquities, learnedly observes, ad Can. 187. Concil. Chalcedon.

Thirdly,

Thirdly, Let us grant (which yet is undetermined) that the *Roman Patriarch* had obtained an extraordinary or *Patriarchal* Jurisdiction over all the Provinces of the *Italick* Diocese, as his *Suburbicaries*, and that they were those ten in number, viz. the three Islands of *Sicilie*, *Corfica*, and *Sardinia*, and the seven other placed on the *Continent*. Which ten Provinces some do assign to the same Diocese, induced by that ancient Observation, from which it appears, that the Ecclesiastick Jurisdiction of the Dioceses, both for the beauty and benefit of order and unity, as also to insinuate a mutual harmony (which ought, as much as may be, to be cherished between the *Church* and *Republick*) in a certain accurate imitation, was so coextended with, and adjusted to, the temporal Regiment of the secular Vicars, that the Ecclesiastick *Patriarchates* or *Primacies* were not enlarged farther than the temporal Jurisdiction of the Vicars, that is, to the limits of those Dioceses, the Cities whereof, in which resided the Vicars,

were *Metropolies*, where was fixed the *Pratory* it self, which was the highest Tribunal of all causes, and all appeals likewise in the Provinces subje^{ct} thereunto. The very same government of the Church was retained for the conservation of *Ecclesiastick* Unity, unto which was had special regard by that singular and excellent subordination of the lesser Clerks to their *Bishops* in every City; of the *Bishops* unto their *Metropolitans* in every Province; and of the *Metropolitans* to their *Patriarchs* in every Diocese. But in case either of Heresie or Schism, the Church was succoured by Councils, either Provincial, which were rightly called by the *Metropolitane*, or *Patriarchal*, which by the *Patriarch*, or lastly general, which by the *Emperour* himself, Now as this premised general coextension of the *Ecclesiastick* Jurisdiction with the Civil Government appears by comparing the second Canon of the *Constantinopolitan* Council with the very Code of the Provinces: so that particular definition of the

Italick

Italick Diocese may bee fetcht out of *Ruffinus*^d the best Interpreter of that very sixth *Nicene* Canon, who expressly mentions the *Suburbicaries* in that place, where he professedly interprets the said Canon; who being both an *Italian*, and near the age of the *Nicene* Council, was able clearly to distinguish the proper limits (as then fixed) of the *Italick Patriarchate*. Howsoever it is evident to any man, that even in this sense, from the Jurisdiction of all those ten *Italick Provinces*, as

—*Penitus toto divisos orbe Britannos.*

From the whole world the Britains were divided.

To the fourth, *viz.* That in the time of the *Nicene* Council the *Britannick* Diocese was subject neither to the *Roman Patriarchate* (as some of yesterday,

^d An Ancient Translation of these Canons hath mentioned those *Suburbicaries* expressly in a *Latine* Copy about eight hundred years old, which is also extant in the Library of the famous *Jussell*. The words of the Translation are, *ut Episcopus Romanus Suburbicaria loca gubernet.*

grossly suppose) nor yet to any forein Jurisdiction; shall presently appear, when wee shall shew, That the *Britannick Churches* enjoyed their own *Primate* or *Patriarch*. That being all matter of fact, is to be fetched out of the *Britannick* history it self, which is written by *Venerable Bede*, the chief Historiographer of the said *Britain*, and a Catholick Priest too. In him therefore wee may read the huge difference of the *Britannick Church* (howsoever ^e most Catholick in other things) from (that I say, not with the

^e That the *British* Nation had been converted to Christian Religion many ages before *Augustin* the Monk was sent into *Britain* by *Gregory the Great*, appears out of the Holy Fathers, as well *Greek*, as *Latine*, the chief of whom are *Athanasius* in *secunda Epist. contra Arian*. *Tertul. advers. Judaeos*, num. 43. *apud Pamel*. It appears likewise out of the ancient *Gildas de Exidio Britannie*; for hee refers the birth of Christianity in *Britain* to the highest time of *Tiberius*, that is, about the year 135. according to the computation of *Baronius*, who confesseth that *Britain* was nine years elder than *Rome*, in her Christianity, *Vid. Euseb. Pamphil. in Chronico*. Moreover *Augustin* the Monk himself acknowledgeth the Bishops of the *Britains* for truly Catholick, notwithstanding their difference in Rites from the *Romans*, yea, and that when they refused to subject themselves to the *Roman* Bishop. *Beda lib. secundo Hist. cap. secundo*,

same

same Bede, contrariety to) the Roman Church, both in the different observation of *Easter*, wherein the *Britains* following the use of *Anatolius* the *Constantinopolitane Patriarch*, and not that of the *Bishop of Rome*, conformed themselves to the *Eastern*, not *Western* Churches, as also in the different administration of holy Baptism, and in many other things (witness *Augustin* himself, who was Legate of *Gregory* the *Roman Bishop*) The same also appears out of the constancy of the *Britains* in their rejection of the said *Augustin*, whom although sent Express by the *Roman Pontife*, that hee might preside over the *Britains*; yet, saith Bede, *All the Britain Bishops refused to acknowledge him for their Arch-Bishop, as who had an Arch-Bishop of their own*; whosoever hee then was, whom it would not bee hard to know from the prerogatives of his Metropoly, and priviledge of his seat in Councils. As for the state of the *Britannick Churches*, and their partition, it will bee worth our pains to search it in

the undoubted Records of the *British* Antiquity.

From the very time therefore of *Constantine the Great*, and so of the *Nicene Council*, all *Britany* was in times

* *Beda Antiq. Britan. p. 11. & passim.*

past canton'd into three onely Provinces, * over which were, after the *Romane* manner, in *temporal*

affairs, three *Romane* Proconsuls or Præfidents, as likewise in spiritual there præfided as many *Arch-Bishops* commonly called *Metropolitans* from their *Metropolies*, or principal Cities wherein were resident both the secular and sacred *Provoſt*, or *Metropolitane*. The first of these three Provinces was called *Maxima Caſariensis*, the *Greatest Caſarian* [or inverted if either way to be Englished] the Metropolitan whereof was the *Bishop of York*. The second was called *Britannia prima*, the *first Britain*, the *Metropolitane*, of which was the *Bishop of London*. The third was *Britannia ſecunda*, the *second Britain*, called the *Legionary Metropoly*, and thereof the *Iſcane Bishop*

Bishop, or *Bishop* of *Caerluske* in the Tract or County of *Monmouth*. That was the state of this Metropoly from *Lucius* unto *King Arthur*, in whose time the *Metropolitcal* dignity was transferred to the *Bishop* of *St. Davids*, to whom were subject, as *Suffragans*, the *Welch Bishops*, until in the time of *Henry* the first, or, as some will have it, *Henry* the third, the same *Metropolitane* was reduced under the obedience of the *Arch-Bishop* of *Canterbury*.

Now whatsoever either in the Provinces themselves, or Churches, was afterward irregularly parjeted from abroad, that cannot prejudice the *Imperial* authority, to which belongs, as we have before shewed, both to dispense the external Government of the Church, and to establish the jurisdictions which it limits. Much less can a Usurpation, advanced by force or fraud, derogate from the *Oecumenick* decrees of the Ancient Fathers, or frustrate so many most grave Canons, venerable for their age, published thereupon, such as is
the

the premised 6th Canon of the *Nicene* Council for the Ancient Prerogatives, and the second Canon of the *Constantinopolitan*, by which is charged, *That no Bishop approach any Churches situate without his bounds* (which most grave Canon I wish the *Bishop of Rome* had religiously observed, the Peace of the Church had been better assured) the Council goes on, commanding, *that all bee kept according to what was defined at Nice*. And that these may not seem too remote from our *Britain*, the Canon concludes in a general Sanction, *That all things ought to be done according to that custome of the Fathers in force*. But that such had been the custome of the *Britains*, as to have all weighty affairs Synodically disputed within themselves, appears out of *Bede*. † Moreover, to have been in use, that the *Bishops* of that Nation were consecrated by one *Bishop*, *Baronius* himself somewhere observes.

At that time truly so beautiful was the state of affairs in *Britain*, until some
ages

ages after the Council of Nice, *Augustin* the Monk was sent by *Gregory*, who, what hee could not by right, first by fraud, then by the armed assistance of *Ethelbert*, and his new-converted *Anglo-Saxons*, indeavoured to force the *Catholick Bishops* of *Britain* to acknowledge and receive him for their *Arch-Bishop*; but they couragiously replied, That they could not abandon their ancient Priviledges, and subject themselves to the mandates of strangers. [†] That any other custome had been in the sacred Government of the *Britisb Church*, no man can ever evince out of genuine *Antiquity*. And so much concerning the second Position.

f There are not wanting very ancient Historians, who impute the slaughter of the *Britains* to *Augustine*, by whose instigation they say *Ethelbert* slew one thousand two hundred of them, because they would not obey *Augustine* in the Council. *Essebius. Monach. in Merlin. Comment. Nicolaus Trivet. citat. a Do. Henr. Spelman. Concil. p. 111. Galfrid. Monnet.*

The third Position bearing proportion to the second.

The Britannick Church was 1 with very good right 2 restored by her Sovereign to her Ancient Ecclesiastical Liberty, 3 and that according to the Rule of the Ancient Catholick Canons, by which was confirmed for the future the intire Liberty of the Churches.

TO the first, whatsoever the Rebels at this day on either side falsely alledge to the contrary, it appears out of very many Histories, and the Authentick Chronicles, that the *Kingdome of England* hath been an *Empire*, and so accounted in the world, which was governed by one supream *Head*, or *King*, both in *Spirituals* and *Temporals*, and that wholly independent of any forein *Prince* or *Supremacy* whatsoever on earth.

This is the very marrow expressed from the formal words of a statute at large

large set out to this purpose by the Assembly of Parliament, that is, of the whole Kingdome in the 24th. year of *King Henry the eighth, chap. 12.* At which time the three Estates of *England*, to wit, the *Clergy, Nobility and Commons*, willing to recall the *Ancient Rights of the Kingdome*, taken away rather by force and power, than any Rule of the *Canons*, decreed to have controversies ended within the bounds of the Kingdome, without any appeal to foreigners (which indeed is one principal prerogative of a *Patriarchal Jurisdiction.*)

But upon this whole *Britannick* affair, the thing most worthy our observation is, That this decree, for the liberty of the *Britannick Churches* was not introductive of a new Law, as in spite to the *Kings of Britain* new upstarts calumniate, who are either ignorant of, or opposite to, the *Britannick* privilege: but the said decree was onely declarative of an *Ancient Custome*, which had constantly prevailed in *England*, eight hundred years since, and so many ages before:

fore: yea and was intirely renewed often as occasion required. Concerning this most ^e just assertion, wee attest the ample Margin filled with a long train of the Ancient *Britannick* Statutes, which

g. 1. The King is a mixt person with the Priest, because hee hath as well Ecclesiastical as Temporal Jurisdiction. *Statut. Anno decimo H. 7. fol. 8.*

2. *Anno Christi 755.* King *Kenulphus* exempteth the Abbot of *Abbingdon* from Episcopal Jurisdiction; and the fact of the Kings was judged for legitimate. 1. H. 7. fol. 23, 25.

3. Among the Laws of *Edward the Confessor*, chap. 19. It is said, That the King is constituted Chief Vicar, that hee may rule the Kingdome and People of the Lord, and, above all, the Holy Church.

4. In the time of *Edward the First*, one had brought a Bull, derogatory to this right of the Crown, for which he was condemned to exile, and it was judged, that his crime had the nature of *Treason*.

5. 4 Ed. 1. The King in Parliament (as they speak) himself expounded the Canon made at the Council of *Lions*, *De Bigamis*.

6. 16. Ed. 3. The Excommunication of the Archbishop of *Canterbury* was judged valid, notwithstanding the contrary sentence of the *Roman Pontific*.

7. 17. Ed. 3. 23. The King by his Supremacy exempts the Archdeacon of *Richmond* from Episcopal Jurisdiction, as also all Ecclesiastick Colledges, and even Monasteries, which the King founded, were exempt by the same right.

8. 27. Ed. 3. 84. The King and supream Ordinary present by lapse.

9. 33. Ed. 3. *Aide du Roy*. 103. Kings anointed with sacred

red Sacred Oyl are capable of Spiritual Jurisdiction.

10. 11. H. 4. 37. The Pope cannot change the Laws of England.

11. 12. Ed. 4. 16. A Legate, coming into England, ought to take an oath, That hee will attempt nothing in derogation to the rights of King and Crown.

12. 2. Rich. 3. 22. The Excommunications and Judgements of the Roman Pontife are of no force in England.

13. 1. H. 7. 20. The Pope cannot erect the priviledge of a Sanctuary in England.

14. 25. Ed. 3. It is determined, That the Pope hath no right in England of conferring *Archbishopricks* or *Bishopricks*.

15. 27. Ed. 3. Whosoever, by Summons or Sure, shall trouble any of the subjects of the King of England, without the Realm of England, shall incur the loss of all his goods (which the Law of England calls *Præmunire*.)

16. 16. Rich. 2. cap. 5. It is provided by Law, That because the King of England holdeth his Crown immediately from God, therefore if any one shall pursue in the Court of Rome any translation whatsoever of process or excommunication, &c. hee shall incur the same forfeiture of his goods, being beside put out of the Kings protection.

17. 2. H. 4. It is decreed, That the Popes Collectours, by vertue of his Bulls, have no authority nor jurisdiction in England; but that the Archbishops and Bishops of England are the Kings spiritual Judges.

18. 11. H. 4. 69. 76. The Commission of Judges pronounceth with one mouth, That the premised Statutes are onely affirmative of the Common Custome of England, but not introductive of a new Law. It were an easie thing to accumulate six hundred more of this sort, but these will bee enough for the Reader not prejudicate, yet hitherto perchance ignorant of these Statutes.

the ingenious Reader may be pleased at leisure to view and consider. Whence by induction of parts will appear, that this was no new enterprize, nor a single irregular act of *Henry the eighth* alone; but that long before the time of *Henry the eighth*, this had been the ancient *Supremacy* of all the *Kings of England*, over all persons, and in all causes whatsoever, so well *Ecclesiastick* as *Temporal*.

Wee proceed to the second, and prove the Ancient state of the Church to have been such, out of the undoubted Monuments of the *Britannick Church*; where first wee may collect out of the

* Hist. Eccl. l. i. c. 27. Et 2.c.4. ad annum 883.

† Hist. l. 36.

fore-cited * *Venerable Bede*, as also † *Henry of Huntingdon* no less than the rest, That *Augustine the Monk* stirred up *Ethelbert King of Kent* against the *Bishops of the Britains*, because they in behalf of the *Ancient Britannick Liberty* denied to subject themselves and their Churches unto the *Roman Legate*. Yet further, *Huntingdon* adds, that neither the *Britains* nor *Scots* (that is,

is the *Irish*) would therefore communicate with the *English*, and ^h *Augustine* their Bishop, more than with *Pagans*; the reason was, because *Augustine* did seem to deal uncanonically with them, by constraining them to receive him for their Arch-Bishop, and subject themselves to the mandates of strangers; when as the Ancient manners of the *Britannick Church* required, that all things should be synodically transacted within themselves. Hence is it, that the *Britains* did alwaies celebrate their Ordinations within themselves, and this is also another honorary priviledge of the *Patriarchal Jurisdiction*, and concerning this wee again appeal unto * *Bede* in his * *Bed. Histor. Eccl. history of Aidan the l. 3. c. 3.*

^h Hence is that sad complaint [*apud Bed. l. 1. c. 27.*] of *Gregory* himself in his Epistle to *Augustin*. *In Anglia, inquit, tu solus Episcopus, &c.* In England, saith hee, thou art the only Bishop. How the only? since out of the Historical context [*Bed l. 2. c. 2.*] it appears clearer than the Mid-day light, that there were at that time other Bishops in *Britain* beside *Augustin*; but yet in very deed *Augustin* was alone, because neither the *Britains*, nor the *Scots*, would communicate with *Augustin*, as who accounted him a notorious violatour of the Ancient Ecclesiastick Liberties of the *Britannick Island*.

D

Bishop;

Bishop; yea to *Baronius* himself, where quoted before, who relates, out of *Lanfranks*, the custome of the Kingdome to have been, that the *Bishops* thereof were consecrated by one single *Bishop*; but that these ancient Customes of *Britain* were abrogated by the force rather, and power of the *Anglo-Saxons*, than by any *Synodical* consent. The said † *Bede*

† *Lib. 3. c. 36.*

testifieth the same, where hee relates that *Colman* the *Bishop* (*Finanus's* Successour in the *Pontificate* of the *Northymbrians*) with his fellows, chose rather to desert *Episcopate* and *Monastery*, than their *Ancient Manners*. Which fact of *Bishop Colman* is worth observation, lest, what some falsely pretend, onely the *Monks* of *Banger* may seem to have rejected *Augustin*, against whom, charged upon them, this was the Legitimate defence of the ancient *Britains*, these being their very

* *Lib. 2. c. 2.*

words out of * *Beda* before, That they could not abandon their ancient manners, without the consent and license of their own *Bishops*. And

And truly this answer of the Britains was grounded on very irrefragable, very Catholick reason, and that because this unwonted subjection had contradicted the sixth Oecumenick Canon of the Council of *Nice*, which expressly commands the *Ancient Manners to be kept*. This had also destroyed the eighth Canon of the first *Ephesine* Council, by which first such usurpation, to wit, in the case of the *Cyprian Church*, is called in Hypothesis, *a thing innovated beside Ecclesiastick Constitutions and Canons of the Holy Fathers*, which, as common diseases, therefore needs a greater remedy, because the damage is greater which it brings. Secondly, Therefore the Holy Synod (in *Thesi*, as they say, or in general) commands, *that that should be observed in all Dioceses and Provinces wheresoever* (Behold the Authentick Charter of the *Britannick Liberty*.) Thirdly, That *no Bishop* (the *Roman* not excepted) *καταλαμβάνη* should invade any other Province, which from the beginning hath not been under his, or his

predecessours jurisdiction (as, for instance, did *Augustin* the Monk.) Fourthly, The *Oecumenick* Canon goes on, and a hundred and fifty years, more or less, before *Augustins* invasion of the *Britannick Church*, as it were fore-seeing it, by provision declares it to be void, in these most weighty words. *That if any one shall invade it, and make it his own by force, hee shall restore it.* Fifthly, Yet further (for the following words are most emphatical, and which, as by and by shall appear, seem chiefly to regard the *Roman Bishop* himself.) The Holy Synod warneth, *that the Canons of the Holy Fathers be not passed by, nor that the pride of secular power creep in under the specious pretence of administering sacred Affairs, and by little and little unawares wee lose that Liberty which our Lord Jesus Christ, the deliverer of all men, hath purchased for us by his blood.* Yea the Holy *Oecumenical Synod*, for the greater enforcement, yet again repeats the decree. *It hath therefore pleased the Holy and Universal Synod [to decree] that to every*

every Province be preserved pure, and inviolate, the rights which it had from the very beginning, according to ancient Custom, every *Metropolitane* (and so the *Britannick*) having liberty to take Copies of the Act for his Security. Yet the Holy Synod concludes according to its Oecumenical Authority: *If any one shall bring any Sanction* (every word is most general) *repugnant to those which now are defined, it hath pleased intirely the Holy and Universal Synod, that it bee void.* Hitherto for the Liberty of the Churches [extends] the most express Canon of the Catholick Church, which after the matter of fact first declared, completes the matter of right in favour as well of the *Britannick*, as *Cyprian Church*. For since, as out of the premises appears, the *Britannick Church* in the *West* enjoyed the same priviledge wherewith the *Cyprian Church* was honoured in the *East*, why may not shee lawfully resume what is her own, in time of peace, which was taken from her, by tumult and force, in a turbulent time of the wars?

The sum of the whole most luculent Canon is this; The ancient and truly Catholick Church would have the rights of every Church preserved, not taken away, and if they be taken away by force or fraud, what *Patriarch* soever doth it, his fact is declared void, and moreover hee is commanded to restore that Province which he hath made his own.

Now that this Canon was establisht in a tacite opposition to the *Roman Bishop* himself, is, not obscurely, to be collected out of the

* *Tom. 2. Ephesin. Synod. append. 1. cap. 4. Ep. 18.* * Acts of that Council; for it is evident from them, that the Canon prevailed, notwithstanding the Epistle of *Innocent* the first to *Alexander*, wherein the *Roman Bishop* declared, that the *Cyprians* were not wise according to Faith, if they subjected not themselves to the *Patriarch* of *Antioch*, when as, notwithstanding, wee see the decree of the Universal Synod plainly contrary to the *Papal* sentence; wherein namely it was judged

judged that this was attempted by the *Antiochian*, beside the *Canons*, and that therefore all the letters brought by him against the *Cyprians* were of no effect. Hitherto the third Position. The last followeth.

The Fourth and last Position.

The Britannick Church persevering in its Primitive Exemption from the Roman Patriarchate, so far is it from that it ought, or can be therefore called Schismatical, that rather in the very same respect (before truly Catholick Fudges) that Church appears both to have been, and yet really to bee, by so much the more every way Catholick, by how much that Church, more than others, is an Assertour of the whole Ancient Catholick Liberty, which by so many sacred Canons of four General Councils, the Nicene, Constantinopolitan, Ephesine and

D 4

Chal.

Chalcedonian, the Catholick Fathers have decreed, and antecedently declared to remain ratified for ever against all future usurpations.

Since the time that the ancient *Liberty* of the *Britannick Church*, was by right resumed (as before) with the solemn consent of the whole Kingdome, the *Britannick Church* (now truly Catholick in the rest) can by a like right retain the same without the loss of her

i Let the Reader see if hee can get *Barnes's Manuscript*, the title whereof is, *Catholicus Romanus Pacificus chap. 3. De Insula Magna Britannia privilegiis*; for

This Chapter is one of the three translated out of the said Manuscript, and herewith published.

which his sober work that good *Irenaeus*, although hee were of an unblameable life, and entire fame, yet some years since was, as they say, carried out of the midst of *Paris*

by force, devested of his habit, and like a four-footed Brute, in a barbarous manner, tied to the horse, and so violently hurried away, first into *Flanders*, afterward to *Rome*, where being first thrust into a dungeon of the *Inquisition*, and then into the prison for

* Some of his own Order suppose him to be still living.

Madmen, * hee died. Yet those fierce people not content with his death, have indeavoured to extinguish his fame, boldly publishing, that hee died distracted.

Catholicism,

Catholicism, without any brand of Schism, much less of Heresie. We do willingly owe the proof of this assertion to *Barns*, a most learned and peaceable man, at the same time [when hee writ it] a *Roman Priest*; a Monk in the order of the *Benedictins*, a *Britain*, and therefore no unfit Arbiter of this *Britannick Cause*.

First, Therefore, whether the causes of our withdrawing were sufficient, is no way a matter of Faith, but wholly matter of fact, whereto the *Roman Bishop* himself (that I may speak the truth as gently as may be) was at least accessory, and therefore can be no competent Judge of the cause, but rather, if the business would bear a controversy, it were to be presented to a truly *Oecumenical* or general free Council, rightly and legitimately called. Now so far is it from that the *Britannick Church* ever refused to present her self, or her cause, before the Tribunal of such a Council, that the *Britannick Church* rather holds a general Council to be above
any

any Patriarch (even the Roman himself) according to that pair of Councils held at *Basil*, and *Constance*. This the *Britannick* holds together with the *Gallican Church*, a renewing of the ancient concord with which Church μέγας Βασις, so far as conscience permits, were even at this time much to be wished, it being ^k manifest that above a thousand years since, much friendship passed between the *Gallican* and the *Britannick Church*, even at that time when the *Britannick Church* did not communicate with the *Roman*: and certainly if both parties would mutually understand one the other, without prejudice, and that of the two, which is in the extream, would remit of its rigour, that consent of the *Britannick Church* with the *Gallican* would not be so improbable as it seems at the first aspect to them that are ignorant of both, or either. But this onely by the way. To our purpose again. Wee say the

^k Hence is it, That *Wini* being ordained by the *Gallick Bishops*, is received by the *Britains*, even then when they rejected *Augustin* the *Roman Bishop*. Witness *Bede. Lib. 3. c. 7.*

Britannick Church doth so reverence the General Councils, that she hath provided by a special Statute, That not any one endued with spiritual jurisdiction, shall declare or administer his Ecclesiastical censures, or adjudge any matter or cause to be heresie, but onely such as before had been determined, ordered, or adjudged to be heresie by the authority of the Canonical Scriptures, or by the first four General Councils, or any of them, or by any other General Council.

This was in the Reign of *Queen Elizabeth* the very Catholick sense of the *Britannick Church*, and her due esteem of General Councils, which the old *Parliament* openly testified in the solemn Assembly of that whole Kingdome, for we disdain to make mention in this place of the *Cabals* or *Conventicles* now adayes, which reign in the turbulent rebellious State of that *Church* and *Republick*: for those swarms of Sects are onely the Cancers and Impostemes of that lately famous Church, which no more belong to the sacred body of the *Britannick Church*, than a wen doth to the body natural:

natural: And truly if heretofore the great Mother of us all, the Catholick Church seemed almost universally to be utterly swallowed by a sudden deluge of *Arrianism*, what wonder is it if the *Britannick Church*, but one of her daughters, lye under the same fate for a time? This for the first point.

Concerning the second, it is to be very much observed, That the *Britannick Church*, at the time of her withdrawing, was not truly in fact, much less by right, subject to the Bishop of *Rome*, having been ---- years before her reformation under *Edward 6.* altogether exempt from the *Roman Patriarchate*, to wit, by the *Imperial Authority*, and by that of *Prince Henry the eighth*, whom to have been impowred to do it by right appears before in the first Position.

But what occasion soever of the withdrawing at that time shall bee

1 So that *G. Nazianzens Church* was called *νῆβω-
το* Nōē Noah's Ark; and *St. Hierom* breaks out into these horrid words; *Ingenuit orbis, & se Arrianum factum esse miratus est.* The world groaned, and wondered, that shee was become *Arrian*.

pretended, it cannot prejudice the *Royal* right, or any way derogate from the ancient *Custom* of the *Britannick Church*. Nay, the *British* Nation could not have opposed either of the two, without being hainously guilty both of *Rebellion* and *Schism*, especially since that whole business of the Church's restitution was transacted with the expresse consent of the *Britannick Clergy* (then *Romane*) a Provincial Council of which alone, in defect of a General, was at that time the supream meerly Ecclesiastick tribunal of the *Britannick Nation*, whereunto, onely, the *Britannick Church* ought to be, or indeed could be subject, because in that article of time, no Council, truly general, sate. As for that of *Trent*, which afterward followed, it was at highest onely *Patriarchal*, to which consequently the *Britannick Church*, before exempt by lawful authority from the *Romane Patriarchate*, was no way subject. Whereas therefore the *Britannick Church* can be said to have opposed it self to no lawful *Ecclesiastick* Autho-

Authority at all, which notwithstanding inseparably is of the essence of Schism, certain it is, that Church is no way Schismatical, but, on the contrary side, the *Britannick Church*, according to the singular moderation and Christian love she perpetually sheweth towards all Christians, as she keeps off from her external Communion no Christian of whatever communion he be (so that he hold the foundation intire) but (unless a most just excommunication put a bar) opens her Catholick bosome, and draws forth her holy breasts to any genuine Nursling of the Catholick Church; so as well in Faith, as the internal Communion of Charity, as likewise in the external Communion of the Catholick *Hierarchy* and *Liturgy*, yea and Ceremonies also, she yet cherisheth and professeth an undivided peace and consent with the Catholick Church, from which the *Britannick Church* never did, nor ever will separate her self, as being alwaies most tenacious of the whole truly Catholick foundation. For one thing it

is

is (on the hinge of which just distinction is the whole state of this great controverſie turned) one thing, I ſay, it is, to ſeparate her ſelf from the Catholick or Universal Church, and to form to her ſelf a Congregation or Religion apart different from the Catholick Church, as in times paſt the *Donatiſts* did; another, not to communicate in all with ſome one particular Church (as for inſtance, the *Latine*) or rather to abſtain from the external worſhip which is uſed by ſome perſons, in ſome places, under an expreſs *Proteſtation* (for thence is ſprung the modeſt and innocent title of *Proteſtants*) under *Proteſtation*, I ſay, ſo ſoon as the occaſion of ſcandal ſhould be taken away, of reconciliation, and under a vow (not ſo much out of any abſolute neceſſity, as for publick peace, and Catholick unity's ſake) of returning to the Communion of that particular Church, from which that the Proteſtants were eſtranged, yea in the latter age violently driven away by thunder, and ſword, and fire, is better known out of hiſtory, than
to

to want any proof, or further amplification.

It appears therefore out of the Premises, that the *Britannick Church* constituted in this, as I may say, her passive state of separation from the communion of the *Bishop of Rome*, is wholly free from all blemish of Schism, by reason that the ^m *Bishop of Rome* himself first of all interrupted Christian communion with the *Britannick Church*, and yet further interdicteth the *Britannick Church* his communion, and in that again the *Pope* extolleth himself above a General Council lawfully called (unto which the *Britannick Church* hath ever attributed the decisive judgement) while in his ⁿ *Bull of the Lords Supper*, he forbids an appeal from himself to a general Council.

^m For full ten years after the *Reformation*, under *Queen Elizabeth*, the *Roman-Catholicks*, without scruple, communicated with the *Protestants*, until *Pius* the sixth by his interdictory *Bull* disturbed all.

ⁿ How well this new Interdiction agreeth with the ancient Oath of the *Pope*, the Reader may judge, when (as *Cardinal Deus-dedit* very well notes in his Collection of the Canons) the ancient form of the *Popes Oath*, which

which is yet extant, *Canon. Sanct. Dist. XVI. quia Papa jurabat, se 4. Concilia servaturum usque ad unum apicem*, was that wherein the Pope swore, *hee would observe the four Councils to a tittle*. Whence the most learned *Leschasserius* very wittily infers, *In Consult. Vener. thus, Non potest igitur Pontifex Romanus jure contendere, &c.* The Roman Pontife cannot therefore by right contend, that hee is superiour to those Canons of the Councils, unless hee will arrogate a power unto himself over the four Evangelists. To this Oath of the Pope agrees the ancient Profession of Pope *Zozimus*, *Can. Conc. Statut. 5. q. 5. To decree, or change any thing contrary to the Statutes of the Fathers, is not in the power or authority of this See. See more at large concerning this subject*

* *Barnes's Manuscript, quo supra, Paralipomen. ad ff. 2. De Conciliis, Papa, Schismate.*

* That Chapter is likewise herewith printed.

To all these add (what in conclusion is principally necessary) to wit, that the *Britannick Church*, after the very sacred Canon of the Scriptures (such as is defined in the † ancient Councils) adheres closely unto tradition truly universal, as well Ecclesiastick as Apostolical, both which lean on the testimony or authority of the truly Catholick Church, according to that in *Vincentius* of *Lirinum*, his fam'd *testimonium*, or essay of ancient Catholicism, *Quod ubique,*

† *Cone. Laodic. Can. ult.*

E

quod

quod semper, quod ab omnibus, &c. That which every where, which alwaies, which by all, &c. It appeareth that the Britannick Church bears upon these two Catholick principles, to wit, *Holy Scripture*, before and above all; and then *Universal Tradition*; not onely because the general Council of *Nice*, wherein *ἡ ἀρχαία ἐθν.* *ancient Customs* are under-set and established; but also the *Britannick Church*, in a * Pro-

* The first Synod. after her Articles of Religion were fixed. *An. 13. Regina. Elizab.*

vincial Council of her own, hath most expressly ordained by a special Canon.

Wee conclude therefore, That the *Britannick Church*, such as shee was lately under *Episcopacy* rightly constituted, was no way Schismatical, neither *materially*, nor *formally*, since that she neither erected unto her self Chair against Chair, which is the foul brand of *Schismatics*, in *St. Cyprian*; Nor did that Church cut her self off from *Episcopacy*, or made a Congregation at any time unto her self against her Canonical *Bishops* (which

(which ever is the formal character of *Schismaticks*, by the definition of the *Constantinopolitan Council*) much less did she shake off her *Bishops*, and with the continued succession of *Bishops*, by consequence, the succession of her *Priests*, not interrupted (as I may say) from the very cradle of her *Christianism*. And as for lawful ordination (as well in the material part, the imposition of hands, as in the formal, wherein signally, by a set form of words, both prerogative of Ordination, and also jurisdiction is conferred on the *Bishops*) this her ordination, I say, rightly and canonically performed by the *Catholick Bishops*, shee proves out of the very Records or Monuments of Consecrations: So that no man can by deserved right charge upon the *Britannick Churches*, that ancient reproach of *Schismaticks* in *P Tertullian*,

Concil. Constantinop. 1. Can. 6. vel. 8. Αἱρετικοὶ δὲ λέγομεν, &c. we call them *Hereticks* which rend themselves from, and set up *Synagogues*, or *Conventicles* against, our *Canonical Bishops*, &c.

p Matthew Parler, a godly and learned man, &c. who was *Chaplain* to *Henry the eighth*, &c. being duly elected

to the Arch-Bishoprick of Canterbury, after a Sermon preached, the Holy Spirit invoked, and the Eucharist celebrated, by the imposition of hands of three Bishops in former times, William Barloc of Barbe, John Scory of Chichester, Miles Coverdale of Exeter, and John Suffragan of Bedford, was consecrated at Lambeth; Hee afterward consecrated Edmund Grindal, an excellent Divine, to bee Bishop of London, &c. See *Camdens Annals of the Affairs of England*, part. 1. ad an. 1559.

Vos ex vobis nati estis; You are new upstarts, born yesterday of your selves. Nay so tenacious are the genuine Britains of the ancient Religion, and by consequence of her Catholick Discipline, that for the intire restitution of their Bishops, their most Gracious King himself Charles, Emperour of Great Britain, chuseth rather to suffer so many, and so most undeserved injaries (even which is horrid to be spoken, to death it self, which in dishonour and contempt of all ^a Chri-

^a In good earnest, this hainous fact so strikes at all Monarchs through the side of one King of Great Britain, that unless it incense all Kings and Princes whatsoever, as to a most just indignation, so to a serious revenge, it may be feared that the contagion of such a damnable example, will diffuse its infection into Neighbour-Kingdomes, it so threatneth and menaceth the destruction and ruine of Monarchy it self; since that in the most seditious Epilogue of the *perfidious Covenant*, in most expresse words

words, they exhort and animate other Christian Churches, as they love to speak, which either groan under the yoke of Antichristian Tyranny, or that onely are in danger of it, that they would joyn in the same, or like Association, and Covenant, with them, forsooth, to the enlargement of the Kingdome of Jesus Christ, &c. You hear the words, yee Christian Princes, yea, and you see their deeds. It is the affair of you all that is acted, but of such among you especially, whom particularly they will seem to have marked out with that black character of Antichristianism, which in the sense of these Traitors, is not so common to every meridian, but that it seems to threaten some Region before other, with its malignity. God avert all of that nature portended by it.

stian Monarchs, those most desperate Rebels threaten to their King, and not long since potent Monarch) then abolish Episcopacy, as mindful of that Oath, to be trembled at, whereby hee religiously bound himself to God and the Church at his Coronation.

7 At the Coronation of the King of England, the Arch-Bishop consecrating, in the name of the whole Clergy, twice adjures the King in these words. *fl. 1. † My Liege, Will you grant, conserve, and by your oath confirm the Laws, Customes, and Liberties, given unto your Clergy by the Glorious King, St. Edward your Predecessor?* The King answers, *I do grant, and take upon mee to keep them. Also. fl. 5. The Arch-Bishop adviseth the King in these words. My Lord, the King, we beseech you, that you will conserve to us and the Churches committed to our trust, all*

† This is translated out of the Latin Copy.

Canonical Priviledges --- and that you will protect and defend us, so as every good King ought to be a Protector and Defender of Bishops, and Churches put under his Government. The King, almost in the same words promisseth, That hee, to the uttermost of his power, God helping him, will keep the Canonical priviledges of the Churches, and that hee will defend the Bishops themselves. Afterward the King being lead to the Altar, there touching with his hand the Holy Bible, solemnly swears, That hee will perform all these things, adding moreover this Imprecation to be trembled at, So help mee God, and the contents of this holy Book. I thought fit to insert here this form of the Kings Oath, taken out of the Royal Records themselves, that it may bee made manifest to the whole Christian world, That His Majesties magnanimity and constancy hitherto, is to be imputed not to pertinacy, but Religion, whatsoever otherwise is said by such as blasphemous, or reproach him with their evil language.

The Clergy, and likewise better part of the Nobility, as also the *Britannick* people, dispersed here and there (Rivals with their *King* in this part of his Religion) refuse not to undergo the loss of all their estates, persecutions, banishments, yea are ready to indure all kindes of extremity, to their very last breath, rather than consent to the Schismatics, in the extermination of Catholick *Episcopacy*, which under a most false pretence of Religion, stubborn
traiterous

traiterous persons, sworn enemies of the whole Catholick Church, of Religion it self, and Christian Truth, as also of all *Empire and Monarchy*, attempt by force of arms, abandoning the whole *Royal Authority*: Whom, the Best and Greatest God, the severe assertour of Catholick Unity, vouchsafe to disperse in his own time, and recollect at length the *Britannick Church*, heretofore a very illustrious part of the Christian world, yea, the whole Christian Universe it self, as one flock under one Shepherd. *Amen.*

S. D. G.

Can. VI. Concil. Nican. I.

Τὰ ἀρχαῖα ἐν νεότητι.



A
LETTER

TO THE

Right Honourable,

THE

Lord Hopton,

Importing the Occasion of
writing the fore-going
TREATISE.





TO THE
RIGHT HONOURABLE;
THE
LORD HOPTON;
Baron of Straton, &c.

My Lord,

He inclosed from Dr.
Basier was left with mee
when he took his jour-
ney toward *Italy*; Hee
acquainted mee with part of the
Contents, which may put your
Lordship in present expectation
of

To the Lord Hopton.

of two *Manuscripts*, one of which is intended to *Sir George Radcliffe*; I shall avoid all occasions, I can, of detaining them, being loath to deprive your Lordship, for an hour, of the benefit which may be assuredly reaped by two *Tracts*, so good in their several natures; but the *Doctors* commands, imposed upon another Gentleman and my self, to search, & secure, divers quotations in his own, and the liberty hee granted of the other to be communicated for a time, necessitate mee to crave your Lordships pardon, and forbearance a little while, one of the Books cited by him, being not yet to be met with, and the transcription not to be done in haste.

The

To the Lord Hopton.

The occasion of the *Doctors* setting pen to Paper, was taken from a Work which Mr. *Chr. Justell* (he who put out the *Greek and Latine Councils* your Lordship hath) is about, which he means to entitle *Geographia Sacro-Politica*, making clear the distinctions of several *Dioceses*, &c. and asserting the priviledges of some *Churches*, exempted from the *Supremacy* of the *Roman*. The *Doctor* hath importuned him to enlarge somewhat about our *Church*, and I think (in my hearing) prevailed with him for a promise. This *Diatribē* hath prepared the way a little for him, & given him a sight of what he did not so particularly understand, in reference to us.

The

To the Lord Hopton

The main businesse is, the parallel of our, with the *Cyprian* privilege, which I wish they may sufficiently prove, to the satisfaction of the World. I shall be very glad to hear your Lordships approbation of what the learned *Doctor* hath done toward it, in the reading whose Book, if any scruple retard you, I may chance to remove it, knowing the *Authors* meaning by the daily conversation and conference I had with him. If I thought your Lordship had not the Lord *Montrosse's History*, and *Sr. Balthazar Jarbiers Vindication of the King* (as hee pretends) already dispatched to you by another hand, I would use all diligence to procure, and send you

To the Lord Hopton.

you them, by the first, being very
ready, wherein I may, to express
my self,

My Lord

Paris, March

17. 1648.

Your Lordships ve-
ry faithful, and most
obsequious servant,

RI. WATSON.

The